



Michigan Supreme Court

State Court Administrative Office

Family Services

Friend of the Court Bureau

Michigan Hall of Justice

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Daniel J. Wright
Director

MEMORANDUM

DATE: July 12, 2007

TO: Family Division Administrators

CC: Chief Circuit Judges
Presiding Family Division Judges
Circuit Court Administrators
Friends of the Court

RE: Changes to the Uniform Spousal Support Order

The State Court Administrative Office (SCAO) Family Services Division/Friend of the Court Bureau develops and recommends guidelines for the conduct, operations, and procedures of all friend of the court (FOC) offices. The Friend of the Court Act requires county FOCs to take all necessary steps to adopt the recommendations made by the Friend of the Court Bureau. See [MCL 552.503\(7\)](#).

SCAO has recently revised the Uniform Spousal Support Order forms ([FOC 10b](#) and [FOC10c](#)). The revisions take effect on September 1, 2007. This memorandum describes those changes and also suggests how to use the new forms if the order submission and entry dates in a particular case overlap with the effective date for the new forms.

A. Changes to the FOC 10b and 10c

1. The language describing the use of the grid in item number one was amended to clarify what portion of spousal support is paid directly to the payee through the state disbursement unit, now referenced as the *Michigan* State Disbursement Unit (SDU), and what amounts are paid directly to a third party on behalf of the payee.

The first sentence was changed to add a reference to the exact amount of

support to be paid through the SDU. The first sentence now reads:
“Spousal support in the amount of \$_____ shall be paid through the Michigan State Disbursement Unit and paid to the payee.”

A second sentence was added to notify the form’s user that the grid below is to designate specific payments of spousal support which will not be paid through the SDU, but will be paid directly to a third party. This new sentence reads: “Payments payable to a third party that must be paid directly to, or for the benefit of, the third party are as follows.”

2. The word “Michigan” was added before State Disbursement Unit in item number two.
3. References to necessary information such as name, address, insurance policy number, etc. were made plural in item number six. This takes into account the possibility that individuals may have more than one address, telephone number, insurance policy, and occupation or driver’s license.
4. Proper hyphenation was added to language in the Certificate of Mailing section.

B. How to use the new version of the Uniform Spousal Support Order if an order’s submission and entry dates are close to the new forms’ effective date

[MCR 3.211\(D\)](#) states in part that: “(1) Any provisions regarding child support or spousal support must be prepared on the latest version of the Uniform Support Order drafted by the state court administrative office and approved by the Supreme Court....”

Because the court rule specifically states that support provisions must be *prepared* on the latest version of the order, clarification is necessary about which form to use when the order’s submission and entry dates are close to the effective date of the revised forms.

1. Orders prepared and submitted *before* the effective date of the revised forms and expected to be entered *before* the effective date: The current Uniform Spousal Support Order forms dated 11/05 should be used when the order is expected to be entered before September 1, 2007.
2. Orders prepared and submitted *before* the effective date for the revised forms and expected to be entered *after* the effective date: Either the 11/05 or the 5/07 versions are appropriate to use in this case. Because the court rule states that support orders are to be prepared on the latest version of the form, using the 11/05 version, although it will be replaced with the 5/07 version, complies with the court rule. However, if the person submitting the order believes that the order

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will not be entered until after the effective date, then it is also appropriate to use the 5/07 version of the Uniform Support Order.

3. Orders prepared, submitted, and entered *after* the effective date: Only the 5/07 version, effective as of September 1, 2007, should be used. This ensures that the forms used are the “latest version” as required by the court rule.

Courts and FOC staff who have questions may contact Angel Sorrells (SorrellsA@courts.mi.gov) or Steven Capps (CappsS@courts.mi.gov) at 517-373-5975.